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REPORT OF THE SELECT COMMITTEE ON THE LEGISLATIVE ASSEMBLY OF TRAVANCORE-COCHIN (REMOVAL OF DISQUALIFICATIONS) BILL.

To

The Speaker,

Legislative Assembly.

Sir,

We, the undersigned members of the Select Committee appointed to consider and report on the Legislative Assembly of Travancore-Cochin (Removal of Disqualifications) Bill have considered the Bill clause by clause and beg to submit this our

REPORT.

1. The Bill was published in the Government Gazette Extraordinary dated 31st March 1951.

2. We are of the opinion that clause 2 should be modified by the insertion of 2 sub-clauses. Accordingly we have re-drafted clause 2

and added sub-clauses (i) and (iii). Sub-clause (i) has been added to make it clear that the receipt by a member of the salaries and allowances under the law for the time being in force and the receipt by him of travelling and daily allowances as a member of a Committee to which he may be appointed by Government shall not disqualify him. Sub-clause (iii) has been added to enable the translators of the Constitution to continue in the Committee appointed to scrutinise the translation. It is necessary that their services are made available to the Committee as it is their work that is being scrutinised. The Bill may be adopted subject to the following amendment: —

For clause 2, substitute the following : —

Removal of certain disqualifications for membership.

"2. A person shall not be disqualified for being chosen as, and for being, a member of the Travancore-Cochin Legislative Assembly by reason only,—

(i) that he is in receipt of the salaries or allowances to which he is entitled under the law for the time being in force relating to the payment of salaries and allowances to members of the Travancore-Cochin Legislative Assembly or of travelling and daily allowances while serving as a member of any Committee or Board constituted by the Government of India or the Government of any State specified in the First Schedule to the Constitution of India, or

(ii) that he holds under the Government of India or the Government of any State specified in the First Schedule to the Constitution of India an office which is not remunerated either by salary or by fees payable out of the Consolidated Fund of India or of any such State, or

(iii) that he is a member of the Committee constituted to translate the Constitution of India into Malayalam, or

(iv) that he holds an office in any educational institution other than a Government institution".

(Sd.) P. K. KRISHNANKUTTY MENON (Chairman)
(Sd.) V. MADHAVAN
(Sd) D. GNANASIGAMONI
(Sd.) N. P. VARGHESE.

V. KRISHNAMOORTHI AIYAR,
Secretary, Legislative Assembly.

22nd September 1951.

THE LEGISLATIVE ASSEMBLY OF TRAVANCORE-COCHIN (REMOVAL OF DISQUALIFICATIONS) BILL.

(AS REVISED BY THE SELECT COMMITTEE)

Preamble.

Whereas pursuant to sub-clause (a) of clause (1) of Article 191 of the Constitution of India read with Article 238 thereof, it is expedient to declare certain offices as offices which will not disqualify the holders thereof for being chosen as, and for being, members of the Travancore-Cochin Legislative Assembly;

It is hereby enacted as follows:—

Short title and commencement.

1. (1) This Act may be called the Legislative Assembly of Travancore-Cochin (Removal of Disqualifications) Act, 1951.

(2) It shall come into force at once.

Removal of certain disqualifications for membership.

2. A person shall not be disqualified for being chosen as, and for being, a member of the Travancore-Cochin Legislative Assembly by reason only,—

(i) that he is in receipt of the salaries or allowances to which he is entitled under the law for the time being in force relating to the payment of salaries and allowances to members of the Travancore-Cochin Legislative Assembly or of travelling and daily allowances while serving as a member of any Committee or Board constituted by the Government of India or the Government of any State specified in the First Schedule to the Constitution of India, or

(ii) that he holds under the Government of India or the Government of any State specified in the First Schedule to the Constitution of India an office which is not remunerated either by salary or by fees payable out of the Consolidated Fund of India or of any such State, or

(iii) that he is a member of the Committtee constituted to translate the Constitution of India into Malayalam, or

(iv) that he holds an office in any educational institution other than a Government institution.

3. A person shall not be deemed to be or to have been disqualified for being a member of the Travancore-Cochin Legislative Assembly by reason only that such person had prior to the commencement of this Act held under the Government of Travancore-Cochin an office which was not a whole time office or that he had held an office in any educational institution other than a Government institution.

Removal of certain other disqualifications for membership.

V. KRISHNAMOORTHI AIYAR,
Secretary, Legislative Assembly.

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